

House  
REPUBLICAN  
Conference

# FloorPrep

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Legislative Digest

Monday, August 2, 1999

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J.C. Watts, Jr.  
Chairman  
4th District, Oklahoma

*House Meets at 12:30 p.m. for Morning Hour and  
2:00 p.m. for Legislative Business  
(No Votes Before 6:00 p.m.)*

*Anticipated Floor Action:*

- H.R. 1094—Broadening the Range of Discount Window Loans**  
**H.Res. 267—Honoring Eileen Collins as the First Female Space Shuttle Commander**  
**H.R. 2654—American Inventors Protection Act**  
**S. 606—Relief of Global Exploration and Development Corporation, Kerr-Mcgee, and the Menominee Indian Tribe**  
**H.R. 1761—Copyright Damages Improvement Act**  
**H.R. 2454—Arctic Tundra Habitat Emergency Conservation Act**  
**H.R. 1104—Authorizing the Construction of a Visitor Center at the Home of Franklin D. Roosevelt**  
**H.R. 747—Arizona Statehood and Enabling Act Amendments**  
**H.R. 695—Old Jicarilla Administrative Site Transfer Act**  
**H.R. 1442—Law Enforcement and Public Safety Enhancement Act**  
**H.R. 1219—Construction Industry Payment Protection Act**  
**H.R. 1152—Silk Road Strategy Act**  
**H.R. 2614—Certified Development Company Program Improvements Act**  
**H.R. 2615—General Business Loan Improvements Act**  
**H.R. 211—Designating the Tom Foley Federal Building and U.S. Courthouse**  
**H.R.2606—FY 2000 Foreign Operations Appropriations Act**



## Bills Considered Under Suspension of the Rules

**Floor Situation:** The House will consider the following 15 bills under suspension of the rules as its first order of business today. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

**H.R. 1094** broadens the range of discount window loans that may be used as collateral to back currency. The 1913 Federal Reserve Act requires the Federal Reserve to back currency when it is issued (i.e., the bank must hold certain kinds of assets in an amount at least equal to the amount of currency in the hands of the public). A discount window is a figurative term for a Federal Reserve Bank that extends credit directly to eligible depository institutions. The small margin of available collateral may pose a potential problem should the demand for discount window loans substantially increase due to temporary or unusual circumstances, such as the Year 2000 date change. As a result, the Federal Reserve believes that expanding the types of assets eligible to back currency is necessary to ensure flexibility in times of high loan demand. A CBO cost estimate was unavailable at press time. The bill was introduced by Mr. Leach *et al.* and was not considered by a House committee.

**H.Res. 267—Honoring Eileen Collins as the First Female Space Shuttle Commander** congratulates the crew of the recently completed space shuttle mission and honors Colonel Eileen Collins on being the first female commander of a U.S. space shuttle. Specifically, the resolution recognizes the contribution of Colonel Collins to the advancement of women in science and invites the space shuttle crew to be honored and recognized by the House for their achievements. H.Res. 267 was introduced by Ms. Morella and was not considered by a House committee.

**H.R. 2654—American Inventors Protection Act** includes a series of initiatives intended to protect the rights of inventors, enhance patent protections, and reduce patent litigation. Specifically, the bill (1) requires invention promoters, when evaluating the marketability of their customers' inventions, to include in a written contract the approximate amount of fees for promotion services, as well as a clearly displayed statement that the customer may cancel the contract; (2) permits inventors to recover attorneys' fees in addition to actual damages or \$5,000, whichever is greater, in successful claims against promotion service fraud; (3) provides a "first inventor" defense against a lawsuit for patent infringement whenever an inventor of an unpatented idea uses the invention but does not patent it (currently, patent law does not guard original inventors from being sued when a subsequent user, who patents the idea at a later time, files a lawsuit for infringement against the creator of the invention); (4) requires the Patent and Trademark Office (PTO) to notify an inventor within 14 months whether his application for a patent is accepted or rejected; (5) prohibits the PTO from releasing patent applications to the public without the authorization of the PTO Director; and (6) requires inventors to apply to the PTO Director for a reexamination of a patent application rejection and prohibits individuals from filing for another reexamination before the first one is completed. The bill was introduced by Mr. Coble and was not considered by a House committee.

**S. 606—Relief of Global Exploration, Kerr-McGee, and the Menominee Indian Tribe** authorizes the Treasury Secretary to make three payments, totaling \$51.6 million, to the Global Exploration and Development Corporation, the Kerr-McGee Corporation, and the Menominee Indian Tribe of Wisconsin. In addition, the measure makes it illegal for any individual to teach, demonstrate, or distribute information to anyone on making or using explosives, destructive devices, and weapons of mass destruction if he knows that the person intends to commit a federal crime of violence. S. 606 establishes a penalty of a prison term of up to 20 years and/or a fine for committing this offense. The bill passed the Senate by unanimous consent on July 1, 1999.

**H.R. 1761—Copyright Damages Improvement Act** increases statutory damages and establishes new damages for cases in which a copyright owner demonstrates that a copyright infringement was part of a repeated pattern or practice. Specifically, the bill (1) amends federal copyright law to increase the minimum damages available for copyright infringement from \$500 to \$750 and raise the maximum damages from \$20,000 to \$35,000; (2) increases the maximum additional damages a court may award from \$100,000 to \$300,000; (3) authorizes a federal court to increase the award of statutory damages to a maximum of \$250,000 in cases where the copyright owner demonstrates that infringement was a repeated pattern; and (4) amends the No Electronic Theft Act (NET; *P.L. 105-147*) to require the United States Sentencing Commission to ensure that the sentencing guideline for intellectual property offenses is sufficiently stringent to deter crimes by considering the retail price and quantity of infringed-upon items. H.R. 1761 was introduced by Mr. Rogan *et al.* and was reported by the Judiciary Committee by voice vote on July 1, 1999.

**H.R. 2454—Arctic Tundra Habitat Emergency Conservation Act** codifies two U.S. Fish and Wildlife Service regulations concerning the use of hunting to reduce the population of mid-continent light geese. The regulations will remain effective until May 15, 2001, or until other regulations are issued. The first rule allows an individual to use an unplugged shotgun and an electronic caller to hunt light geese during a normal hunting season when all other waterfowl and crane hunting seasons are closed. The second regulation authorizes certain states to take actions to harvest mid-continent light geese outside of the regular hunting framework. CBO estimates that enactment will have no impact on the federal budget. The Resources Committee reported the bill by voice vote on July 21, 1999.

**H.R. 1104** authorizes the Interior Secretary to transfer administrative jurisdiction over no more than one acre of land within the boundaries of the Franklin Delano Roosevelt National Historic Site to the United States Archivist to build a visitor center. When completed, the center will serve both the FDR home and the FDR Presidential Library in Hyde Park, New York. The funding needed to construct the visitor center has been secured from both federal and non-federal sources, and the National Archives has set aside \$8.2 million for this purpose. However, the National Archives must have jurisdiction over the property before any construction takes place. CBO estimates that enactment will have no significant impact on the federal budget. The Resources Committee reported the bill by voice vote on May 5, 1999.

**H.R. 747—Arizona Statehood and Enabling Act Amendments** amends the 1910 Arizona Statehood and Enabling Act to make two changes regarding state trust funds. Under the law, the state receives revenues (deposited into a trust fund) generated from lands granted to it upon admission as a state. The proceeds from the sale of state trust land benefit public schools, state colleges and universities, and other public institutions. The bill allows the State Treasurer to reinvest interest and dividend proceeds (under current law, all proceeds, including interest and dividends, must be paid out to beneficiaries). This change is expected to allow beneficiaries to reinvest a portion of the fund in stocks to offset inflation and provide higher payments to beneficiaries over time. CBO estimates that enactment will have no significant impact on the federal budget. The Resources Committee reported the bill by voice vote on May 5, 1999.

**H.R. 695—Old Jicarilla Administrative Site Transfer Act** directs the Agriculture and Interior Secretaries to transfer an administrative site in San Juan County, New Mexico, to San Juan College. The property, known as the “Old Jicarilla Site,” is a 20-acre section of land located in the Carson National Forest near the town of Governador, New Mexico. The Forest Service and the Bureau of Land Management presently manage the land within the National Forest. However, the Forest Service determined that the site is of no further use because it moved its operations to a new administrative facility in Bloomfield,

New Mexico. Upon construction of this new administrative facility, the Forest Service did not need the “Old Jicarilla Site,” which possesses limited improvements to the land. Since this move, which occurred several years ago, the site has remained unoccupied. San Juan College recently expressed an interest in acquiring the site and continuing its public use for educational and recreational service. The Resources Committee reported the bill by voice vote on June 30, 1999.

**H.R. 1442—Law Enforcement and Public Safety Enhancement Act** amends the 1949 Federal Property and Administrative Services Act to permanently authorize the General Services Administration to transfer surplus federal property to local law enforcement, fire, and rescue authorities. Currently, 13 projects nationwide use the temporary authority granted by the FY 1998 Commerce, Justice, State, and Judiciary Appropriations law (*P.L. 105-119*). This authority will expire on December 31, 1999. H.R. 1442 was introduced by Mr. Calvert and was reported by the Government Reform Committee by voice vote on May 19, 1999.

**H.R. 1219—Construction Industry Payment Protection Act** establishes government-wide policies to assure timely payment of contractors, subcontractors, sureties, and suppliers. Specifically, the measure (1) requires general contractors to obtain payment bonds of an amount equal to the total value of the contract; (2) updates the methods by which a subcontractor may notify the general contractor on its intent to file a lawsuit for payment under the bond; and (3) requires that any waiver of a subcontractor’s right to sue on a payment bond be in writing, signed, and executed after the subcontractor has furnished labor or materials for use in the project. CBO estimates that the bill will have no significant impact on the federal budget. The Government Reform Committee reported the bill by voice vote on May 19, 1999.

**H.R. 1152—Silk Road Strategy Act** authorizes U.S. assistance to support the economic and political independence of the Central Asian states (Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, and Turkmenistan) and the Caucasus states (Armenia, Georgia, and Azerbaijan). The bill amends the 1961 Foreign Assistance Act (*P.L. 87-195*) to separate assistance for the Central Caucasus states from the assistance provided to the other former Soviet Union states under the existing FREEDOM Support Act (Chapter 11 of the Foreign Assistance Act). A CBO cost estimate was unavailable at press time. The International Relations Committee reported the bill by voice vote on July 22, 1999.

**H.R. 2614—Certified Development Company Program Improvements Act** amends the 1958 Small Business Investment Act (*P.L. 85-699*) to improve the Small Business Administration’s 504 loan program. The bill increases the maximum regular loan/debenture from \$750,000 to \$1 million and the public policy loan/debenture from \$1 million to \$1.3 million. The bill also makes women-owned businesses eligible for debentures.

The bill authorizes the SBA to continue to levy fees under the 504 program on a borrower, a Certified Development Company (CDC), and a participating bank until October 1, 2003. The bill grants the Premier Certified Lends Program (PCLP) permanent status. Currently, the demonstration program is set to terminate at the end of FY 2000. The bill requires the SBA to give any certified lender with contingent liability 90 days notice prior to including a defaulted loan in a bulk sale of loans. The bill prohibits the sale of any loan without permitting prospective purchasers to examine SBA records on the loan. In addition, H.R. 2614 creates a program to allow CDCs to handle the liquidation of defaulted loans, replacing a pilot program authorized by the 1997 Small Business Reauthorization Act (*P.L. 105-135*).

A CBO cost estimate was unavailable at press time. The bill was introduced by Mr. Talent *et al.* and was reported by the Small Business Committee by voice vote on July 29, 1999.

**H.R. 2615—General Business Loan Improvements Act** amends the Small Business Act (*P.L. 85-536*) to improve the general business loan program. Major provisions of the bill include: (1) increasing the guarantee percentage on loans of \$150,000 or less from 75 percent to 80 percent and increasing the maximum guarantee amount from \$750,000 to \$1 million; (2) increasing the maximum gross loan to \$2 million and prohibiting the SBA from guaranteeing any loan greater than \$2 million; (3) lowering the guarantee fee from three percent to two percent for loans less than \$150,000; (4) allowing lenders to retain up to 25 percent of the guarantee fee on loans up to \$150,000; (5) allowing borrowers to lease up to 20 percent of a property in which they occupy the remaining 80 percent; and (5) assessing a fee to the borrower for early repayment of any loan with a term longer than 15 years. A CBO cost estimate was unavailable at press time. The bill was introduced by Mr. Talent *et al.* and was reported by the Small Business Committee by voice vote on July 29, 1999.

**H.R. 211** designates (1) the federal building and U.S. courthouse located at West 920 Riverside Avenue in Spokane, Washington, as the Thomas S. Foley Federal Building and United States Courthouse; and (2) the plaza located at the south entrance of the building and courthouse as the Walter F. Horan Plaza. A CBO cost estimate was unavailable at press time. The bill was introduced by Mr. Nethercutt *et al.* and was not considered by a House committee.

**Additional Information:** See *Legislative Digest*, Vol. XXVIII, #23, July 30, 1999.



## **H.R. 2606—FY 2000 Foreign Operations Appropriations**

**Floor Situation:** The House will complete consideration of H.R. 2606 after it completes consideration of the scheduled suspensions. On Thursday, July 29, the House completed general debate and began considering amendments under an open rule. The House later agreed to a unanimous consent request to consider only 11 more amendments, debatable in the order listed and for the amount of time specified below. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

**Summary:** H.R. 2606 appropriates \$12.7 billion in discretionary budget authority in FY 2000 for foreign assistance and export-financing programs. This amount is \$20.7 billion less than the FY 1999 level (which included \$2 billion in FY 1999 emergency appropriations) and \$1.9 billion less than President Clinton's FY 2000 budget request. Of the total amount appropriated, the bill provides \$595.5 million for export assistance, \$7.4 billion for bilateral economic assistance, \$3.6 billion for military assistance, and \$1.1 billion for multilateral economic assistance.

Major funding initiatives in the bill include:

- \* \$76.5 million for voluntary peacekeeping operations (equal to the 1999 level and \$53.5 million less than the president's request);
- \* \$725 million for the Former States of the Soviet Union (\$307 million less than the president's

request and \$76 million less than the FY 1999 level after excluding supplemental emergency appropriations);

- \* \$680 million for the Child Survival and Disease Programs Fund (\$125 million more than the president's request and \$30 million more than the 1999 level);
- \* \$385 million for family planning activities, an amount equal to last year's level and \$15 million less than the president's request. The bill prohibits U.S. population assistance funding for foreign organizations that perform abortions, violate the abortion laws of foreign countries, or engage in lobbying activities to change the abortion laws of foreign countries (the president, however, may waive the prohibition on assistance to organizations that perform abortions);
- \* \$25 million for the U.S. contribution to the United Nations Population Fund (UNFPA). However, it specifically prohibits these funds from being used for programs in China or for any other programs that deal with abortions or coerced family planning practices. If the UNFPA does fund activities to China, the bill requires the U.S. to withhold an amount equal to whatever the organization spends on those activities;
- \* \$735 million (\$20 million more than the president's request and \$40 million less than the FY 1999 level) in economic aid for Egypt. The bill also recommends a continued decrease of \$40 million annually over 10 years, which will result in a 50 percent reduction in economic aid toward Egypt. The bill does, however, fully fund the president's request of \$1.3 billion for military assistance, which is equal to the FY 1999 level;
- \* \$19.6 million for the International Fund for Ireland, an amount equal to both last year's level and the president's request;
- \* \$285 million (\$24 million more than last year's level after excluding supplemental emergency funding but \$10 million less than the president's request) for International Narcotics Control;
- \* \$181.6 million (\$16.4 million less than in FY 1999 after excluding emergency supplemental funding but \$49.4 million less than the president's request) for nonproliferation, anti-terrorism, and demining activities;
- \* \$240 million (equal to the FY 1999 level after excluding emergency supplemental funding but \$30 million less than the president's request) for the Peace Corps;
- \* \$960 million in economic aid to Israel, \$120 million less than both the FY 1999 level and the president's request; however, the bill increases Israel's total military assistance by \$60 million over last year for a total of \$1.92 billion. The bill also recommends a reduction of \$120 million per year from economic assistance over the next 10 years, which will result in the eventual elimination of economic assistance to Israel; and
- \* \$200 million, the same as the president's request, for economic assistance, and \$125 million (also equal to the president's request) for military assistance to Jordan.

The bill also (1) renews the one-year waiver of section 907 of the Freedom Support Act (*P.L. 102-511*), which bans all U.S. assistance to Azerbaijan; and (2) withholds 50 percent of assistance to the government of Russia unless it ends nuclear and ballistic missile cooperation with Iran;

CBO estimates that enactment of H.R. 2606 will result in outlays of \$4.8 billion for FY 2000, \$3 billion for FY 2001, \$2.8 billion for FY 2002, \$778 million for FY 2003, and \$1.1 billion for FY 2004. The Appropriations Committee reported the bill by voice vote on July 21, 1999.

**Views:** The Republican leadership supports passage of the bill. An official Clinton viewpoint was unavailable at press time.

**Amendments:** On July 29, the House agreed to a unanimous consent request to consider only the following 11 amendments, each debatable for 10 minutes unless otherwise specified.

**Messrs. Andrews, Sanders, and Sanford** may offer an amendment, debatable for 30 minutes, to prohibit any new projects, guarantees, or financing for the Overseas private Investment Corporation (OPIC). **Staff Contact:** *Jette Gebhart (Andrews), x5-6501; Jessica Gonzales (Sanford), x5-3176*

**Mr. Burton** may offer an amendment, debatable for 50 minutes, to cut 25 percent (\$11.2 million) from the president's \$44.7 million request for development assistance to India. The amendment exempts the \$81.7 million provided for humanitarian assistance. **Staff Contact:** *Jason Lovell, 5-2276*

**Ms. Jackson-Lee** may offer an amendment to transfer \$4 million from the International Military Education and Training program to the Economic Support Fund (\$2 million) and the U.S. Emergency Refugee and Migration Assistance Fund (\$2 million). The amendment also appropriates no less than \$2.25 million from the Economic Support Fund to provide training and education to Tibetans for democracy activities and monitoring human rights activities in Tibet. **Staff Contact:** *Helen Reed Rowe, x5-3816*

**Mr. Paul** may offer an amendment to prohibit funding in the bill from being used for population control or population planning programs, family planning activities, or abortion procedures. **Staff Contact:** *Mike Sullivan, x-2831*

**Mr. Paul** may offer an amendment to prohibit the Export-Import Bank, OPIC, or the Trade and Development Agency from entering into new obligations after the bill's enactment. **Staff Contact:** *Mike Sullivan, x-2831*

**Mr. Stearns** may offer an amendment to require the Secretary of State to report to Congress on the violations against ethnic Serbians in Kosovo and a description of the actions taken by the North Atlantic Treaty Organization (NATO) to prevent further atrocities. The report must be submitted by October 1, 1999, or the date the bill is enacted. **Staff Contact:** *Peter Krug, x5-5744*

**Mr. Hastings (FL)** may offer an amendment to recognize the Colombian flower industry for its contribution to strengthening U.S.-Colombian relations. The amendment commends the flower industry for working with the U.S. to reduce drug-related activities, and for establishing nursing care, day care, nutrition and educational programs, and a family-violence reduction program in Colombia. **Staff Contact:** *Fred Turner, x5-1313*

**Ms. Jackson-Lee** may offer an amendment to prohibit funding in the bill for the armed forces of Ethiopia and Eritrea. *Staff Contact: Helen Reed Rowe, x5-3816*

**Ms. Jackson-Lee** may offer an amendment to express the sense of Congress (1) regarding its satisfaction with the decision of Eritrean President Isais and Ethiopian Prime Minister Meles to agree to the Organization of African Unity (OAU) framework in settling the border dispute between Eritrea and Ethiopia; (2) encouraging the completion of talks between Eritrea and Ethiopia; (3) appreciating the *de facto* cease fire agreed to by Eritrea and Ethiopia; and (4) appreciating the efforts of the OAU and the Algerian government for aiding in negotiations between the two countries. *Staff Contact: Helen Reed Rowe, x5-3816*

**Mr. Kucinich** may offer an amendment to prohibit the Overseas Private Investment Corporation (OPIC) from providing any financial or administrative support, guarantees or loans, or other assistance for any environmentally sensitive Investment Fund project. *Staff Contact: Jill Johnson, x5-5871*

**Mr. Tancredo** may offer an amendment to prohibit funding for the United Nations Man and the Biosphere (MAB) Program or the United Nations World Heritage Fund. The amendment redirects the \$2 million provided for these programs to child survival and disease prevention programs. *Staff Contact: Chuck Chotvacs, x5-7882*

**Additional Information:** See *Legislative Digest*, Vol. XXVIII, #22, July 23, 1999.



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Amendment  
Alert!

Please attach the text of the amendment (if available) and fax to the *Legislative Digest* at x5-7298

J.C. Watts, Jr.  
Chairman  
4th District, Oklahoma

Member Sponsoring Amendment: \_\_\_\_\_ Bill #: \_\_\_\_\_

Additional Co-sponsors (if any): \_\_\_\_\_

Staff Contact: \_\_\_\_\_ Phone #: \_\_\_\_\_ Evening Phone #: \_\_\_\_\_

Description of the amendment: \_\_\_\_\_  
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(Please include any additional or contextual information)

Reason for offering amendment (e.g., How will this change the bill or current law? Why should members support this change?): \_\_\_\_\_  
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